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[April,

**MASTER AND SERVANT—NEGLIGENCE—VERDICT FOR EMPLOYEE DISCHARGES EMPLOYER.**—In an action against a railroad company and its conductor for an injury caused by the alleged negligence of the conductor a verdict in favor of the latter is held in *Doremus v. Root* (Wash.), 54 L. R. A. 649, to preclude a judgment against the company.

With this case is a note reviewing the authorities as to judgment in favor of employee as bar to recovery against employer, for employee's act or default.

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**PUBLIC OFFICERS—SALARIES—GARNISHMENT.**—The salaries of public officers receiving no more than \$5,000 per year are held in *Dickinson v. Johnson* (Ky.), 54 L. R. A. 566, to be exempt, on grounds of public policy, from the payment of their debts. With this case is a note on the exemption of officer's salary from claims of his creditors.

The public policy of Virginia upon this point is directly opposed to that of Kentucky.

See *Portsmouth Gas Co. v. Sanford*, 5 Va. Law Register, 172; Acts 1897-8, pp. 353, 445; 1899-1900, p. 546; 1901, p. 252.

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**RAILROADS—RIGHTS OF WAY—LIMITATIONS.**—A railroad right of way is held in *Southern Pacific Co. v. Hyatt* (Cal.), 54 L. R. A. 522, to be of such a public nature that title thereto cannot be acquired against the company by prescription or the running of the statute of limitations.

This does not accord with the ruling of the Supreme Court of Washington that adverse possession of a portion of a railroad right of way for a period exceeding that designated by the statute of limitations for the recovery of real property bars a right of action to recover possession thereof. *U. P. R. Co. v. Ely*, 54 L. R. A. 526; Cf. *V. M. R. R. Co., v. Barbour*, 97 Va. 118.

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**PROBATE JURISDICTION—CAUSE OF ACTION ARISING FROM NEGLIGENT KILLING.**—A cause of action against a railroad company for negligently killing a person, which is created by statute for the benefit of the persons named, and is enforceable only by his administrator, is held in *Re Mayo* (S. C.), 54 L. R. A. 660, to give jurisdiction to the probate court of the county where the killing occurred, to grant letters of administration on the estate, although the deceased was not a resident of the State, and owned no other estate within its limits at the time of his death, and the statutes provide, in case of a non-resident, for administration only in the county where the greater part of his estate may be.

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**CARRIERS—DEPOTS—DUTY TO INTENDING PASSENGERS.**—It is the duty of railroad companies, independent of statute, to provide reasonable accommodations for passengers at their stations. This duty requires the exercise of ordinary care to see that station houses are provided with reasonable appointments for the safety and essential comfort of passengers, or those intending to become passengers, while they are waiting for trains. *St. Louis Ry. Co. v. Wilson* (Ark.), 66 S. W. 661. Citing *McDonald v. R. R. Co.*, 26 Iowa, 138, 95 Am. Dec. 114; *Cotterham R. Co. v. London &c. Ry. Co.* 87 E. C. L. 410; 1 Fet. Carr. secs. 249, 250; *Hutch. Carr.* secs. 516-521; 2 Wood Ry. Law, sec. 1338; *Elliott, R. R.*, sec. 1590.